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January 25, 2010

Ms. Mary Rupp, Secretary of the Board
National Credit Union Administration
1775 Duke Street
Alexandria, Virginia 22314-3428

RE: Comments on Proposed Rule –Chartering and Field of Membership for Federal Credit Unions 12 CFR Part 701.

Dear Ms. Rupp and Members of the NCUA Board:

I am writing on behalf of the Board of Directors and management team of Visions Federal Credit Union which is headquartered in Endicott, New York and serves over 120,000 members in southern New York and northern Pennsylvania.

Our specific comments:

- 1. Well Defined Local Communities (WDLCS) & 2. Narrative Approach:** As stated in our comment letter in 2007, we remain in support of the proposed final rule that multiple political jurisdictions use statistical areas to determine their eligibility as a base for a community charter. We were also glad to see that the NCUA sided with Visions and other like opinions that if the WDLC met the definition based on the CBSA statistical area, even with the qualifications concerning the dominant core, that the narrative and public hearing requirements be removed. This should meet the goals of making the criteria objective and less likely to be challenged by the hostile banking lobby.

We agree with your definition of a single political jurisdiction, however, believe that the limit of 2.5 million people for a community charter if it met these other WDLC criteria is arbitrary and should be increased or eliminated. Imposition of the limit could eliminate needy communities from having a community credit union service them in the future.

Examples of Core Based Statistical Areas that would not be eligible for service by a community credit union because of the new population limit include:



Detroit; Baltimore; Riverside, California; Seattle; Boston; St. Louis – just to mention a few of the 21 areas that would be excluded with many others not far behind according to the CBSA ranks in 2008. Although the fallback would be to apply for a charter under the single political jurisdiction rule, the newly chartered credit union would be at a disadvantage in marketing through mass media channels such as television, radio, and print that typically cover the entire CBSA. Federal charters would also be at a disadvantage to state charters that allow an entire CBSA to be included in a community credit union designation, thus eroding the value of a federal charter. As an alternate measure, we propose that if the credit union's community charter applications CBSA or single metropolitan area has more than 2.5 million inhabitants, that additional requirements or justification might be imposed.

3. **Grandfathered WDLCs:** We disagree with the proposed regulation and still believe that for both community and underserved charters, that previously granted areas should be grandfathered permanently or for at least a period of five years.
4. **Rural Districts:** We agree with the definition of using census blocks defined as rural, but again believe that the number of 100,000 people in this case is again arbitrary and should be removed.
5. **Underserved Communities:** We agree that one measure of an underserved community for purposes of the charter should be tied into the same rules used to determine a WDLC or rural district (or single political entity). We also agree with the logic that an area should not be ruled out as underserved because of the prevalence of financial institutions, since many of these institutions do not serve the population fully as credit unions have demonstrated they are capable of and **therefore disagree** that this test should be used to determine an underserved area.

Instead, we suggest that if a community meets the new definition of community as defined in Section 1 of the new regulation, that they be considered "underserved " and eligible for an underserved charter if they meet the CDFI criteria for an underserved community. The 85% rule concerning the population that is underserved should be removed entirely.

If this part of the regulation is passed as proposed, NCUA will have in fact regulated away the possibility for future underserved citizens to be served by credit unions because of the difficulty in meeting the tests.

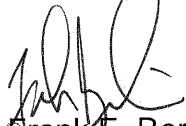
8. **Emergency Mergers:** We agree that setting targets that would determine when a credit union might fall under the Emergency Merger Rules is prudent.

Further, we believe that if a credit union realizes that if it cannot continue to exist profitably and it may soon approach these levels, they should be allowed to work out a voluntary merger and apply for an exception under the Emergency Merger Rules even before they fall under 6% capital.

As an example, we were approached by a credit union several years ago that wished to discuss a voluntary merger because they realized the poor economic prospects of continuing business on their own. Unfortunately, part of their membership was outside our territory. As a result, this institution merged with a bank but it could have just as easily fallen into financial problems, caused a loss to the insurance fund, and eventually be forced to merge through the Emergency Merger Rules even under the new criteria.

We appreciate the hard work the administration has put into this chartering rule and hope you will consider some final changes to make it an even better regulation. Thank you for the opportunity to comment on this proposed rule.

Sincerely,



Frank E. Berrish
President/CEO

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Cc: Mr. Fred Becker, President – NAFCU
Mr. Dan Mica, President - CUNA